

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Hobart P. Drake,)	C/A No. 6:09-908-JFA-WMC
)	
Plaintiff,)	
v.)	ORDER
)	
Sgt. Scott Jones; Sgt. Brian Taylor;)	
Officer Natasha Alston; Officer Harry)	
Perez; Two Officers as John Doe, et al.;)	
official and individual capacity,)	
)	
Defendants.)	
_____)	

This matter is before the Court on “Plaintiff’s Petition for Attorneys’ Fees, Costs, and Expenses” submitted pursuant to 42 U.S.C. § 1988(b) and Rule 54(d) of the Federal Rules of Civil Procedure. The jury returned a verdict in this case on October 8, 2010 in favor of the plaintiff against Defendant Sergeant Brian Taylor for a judgment of \$250 actual damages and \$250 punitive damages.

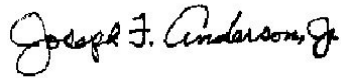
Attorneys for the plaintiff have submitted time records for this case totaling \$56,759 in attorneys’ fees. The attorneys’ fees paid by the defendant in Section 1983 excessive force claims by prisoners are limited to 150% of the judgment. 42 U.S.C. § 1997e(d)(2). Therefore, the amount of the judgment allows the plaintiff in this case to recover a maximum of \$750 towards attorneys’ fees. Additionally, a portion of the judgment up to 25% must be applied to the satisfy the attorneys’ fees. The Court hereby orders that \$125 of the judgment is to be applied to satisfy the amount of attorneys’ fees, and the defendant is ordered to pay

the remaining \$625.

Attorneys for the plaintiff submitted records showing they incurred costs and expenses totaling \$975.40. The Court hereby authorizes that these costs be reimbursed by the Court's library fund. The clerk shall remit a check from the library fund to Nexsen Pruet as reimbursement for expenses advanced.

IT IS SO ORDERED.

November 9, 2010
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge